

Message Text

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ACTION L-03

INFO OCT-01 EUR-25 NEA-10 IO-13 ISO-00 CIAE-00 DODE-00

PM-07 H-03 INR-10 NSAE-00 NSC-10 PA-03 RSC-01 PRS-01

SPC-03 SS-15 USIA-15 ACDA-19 CAB-09 COME-00 EB-11

FAA-00 OIC-04 DOTE-00 USSS-00 SY-10 DRC-01 /174 W
----- 058770

P R 110837Z SEP 73

FM AMEMBASSY ROME

TO SECSTATE WASHDC PRIORITY 679

INFO AMEMBASSY LONDON

AMEMBASSY MOSCOW

AMEMBASSY PARIS

AMEMBASSY TEL AVIV

AMCONSUL MONTREAL

USMISSION USUN NEW YORK

C O N F I D E N T I A L ROME 9410

E.O. 11652: GDS

TAGS: ICAO, ETRN

SUBJECT: ICAO AIR SECURITY CONFERENCE: ISRAELI LETTER

MONTREAL FOR US REP ICAO

PLS PASS: LITTELL/CAB; DRISCOLL/DOT: STEWART/FAA

FROM AMBASSADOR REOUNTREE

1. FOLLOWING MY USEFUL TELECON WITH MR. HERZ AND DR. MOREY
I MET PRIVATELY WITH ISRAELI AMBASSADOR NAJAR TO REVIEW
CURRENT SITUATION IN CONTEXT VARIOUS REQUESTS ISRAELI DEL
HAD MADE OF US. AT OUTSET I RESTATED OUR OBJECTIVE AT
ROME MEETINGS, NAMELY TO ACHIEVE GREATER INTERNATIONAL
COOPERATION IN COMBATING THREATS TO CIVIL AVIATION.
WHILE SUCCESS IN ACHIEVING NEW AND EFFECTIVE MECHANISM
BY NO MEANS ASSURED, I HAD BEEN HEARTENED BY PROFESSED
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ATTITUDES OF SO MANY DELEGATIONS LENDING HOPE THAT SOMETHING
CONSTRUCTIVE MIGHT BE OBTAINED. IMPORTANT CONSIDERATION
THEREFORE WAS TO AVOID, INsofar AS POSSIBLE, DEVELOPMENTS
WHICH MIGHT OBSTRUCT SUCH PROGRESS. AS AMBASSADOR NAJAR

KNEW, USDEL HAD DELIBERATELY TAKEN A LOW PROFILE IN THESE MEETINGS AS POSTURE BEST DESIGNED TO MEET OUR OBJECTIVES.

2. AMBASSADOR NAJAR'S REQUESTS WERE THAT WE ASSIST HIS DEL IN ARRANGING DISTRIBUTION OF HIS LETTER TO ASSEMBLY PRESIDENT: THAT WE JOIN IN APPROACH TO ITALIANS RE ITALIAN REPORT TO ICAO COUNCIL PURSUANT TO MONTREAL CONVENTION; AND THAT WE ASSIST IN ARRANGING FOR AN EMERGENCY MEETING IN ROME OF THE ICAO COUNCIL TO CONSIDER THIS RECENT DEVELOPMENT. MY ATTITUDE REGARDING THESE MATTERS WAS DICTATED BY PURPOSE OF ROME MEETINGS AND EVALUATION OF POSSIBLE RESULTS OF USDEL'S INTERVENTION IN THESE MATTERS. MOREOVER, IN VIEW OF IMPORTANCE AND POSSIBLE IMPLICATIONS OF THESE MATTERS IT NECESSARY FOR ME TO CONSULT WITH WASHINGTON.

3. WE THEN DISCUSSED RAMIFICATIONS OF DISTRIBUTION OF NAJAR LETTER (REPORTED IN SEPTEL). NAJAR SAID THAT DIALLO AND KOTAITE HAD AGREED TO DISTRIBUTION BY SECRETARIAT, BUT CIRCULATION IN CONFERENCE HAD BEEN RESULT MISUNDERSTANDING BY ICAO STAFF OF THEIR INSTRUCTIONS. THIS HAD IN FACT BEEN TOTALLY UNEXPECTED BY ISRAELI REPRESENTATIVES WHO HAS ASSUMED COPIES WOULD BE PUT IN DELEGATIONS BOXES OUTSIDE MEETING ROOM. HOWEVER DISTRIBUTED, NAJAR CONSIDERED CIRCULATION OF LETTER ESSENTIAL FROM ISRAELI PUBLIC RELATIONS VIEWPOINT. HE HAD RECEIVED FIRM INSTRUCTIONS FROM GOI IN THIS REGARD, PARTLY BECAUSE GOI DISTURBED THAT INCIDENT OF THIS MAGNITUDE HAD GONE RELATIVELY UNNOTICED IN MEETINGS ON AIR SECURITY. I OBSERVED THAT DESPITE LACK OF REFERENCE TO SPECIFIC OFFENSE ON FLOOR OF ASSEMBLY AND CONFERENCE IT CLEAR MATTER MUCH IN MINDS OF DELEGATES AND THAT IT EMPHASIZED NEED FOR ADDITIONAL MEASURES. I AGAIN UNDERLINED IMPORTANCE THAT, HOWEVER THIS PARTICULAR MATTER DEALT WITH, IT IT SHOULD NOT BE PERMITTED TO DIMINISH PROSPECTS FOR PROGRESS BUT SHOULD BE USED WITH DISCRETION TO ADVANCE PROGRESS. NAJAR SAID HE FULLY UNDERSTOOD AND APPRECIATED MY POSITION IN THIS REGARD.
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4. HAVING RECEIVED TEL AVIV'S 179029, I TOLD NAJAR THAT I WAS GLAD TO LEARN OF EVRON'S STATEMENT TO DCM THAT GOI NOT PLANNING TO ATTEMPT PLACE SUBJECT ON FORMAL AGENDA UNTIL IT CAN REVIEW RESULTS OF CURRENT CONSULTATIONS WITH US AND OTHER FRIENDLY COUNTRIES. NAJAR APPARENTLY HAD NOT RECEIVED CORRESPONDING INSTRUCTIONS FROM TEL AVIV, BUT EXPRESSED AGREEMENT THAT ATTEMPT TO PLACE MATTER ON AGENDA WOULD CERTAINLY FAIL FOR LACK OF MAJORITY.

5. REGARDING NAJAR'S REQUEST THAT WE JOIN IN AN APPROACH TO ITALIANS, I TOLD HIM THAT WE THOUGHT IT WOULD BE INAPPROPRIATE FOR USDEL TO DO SO, AND THAT IF THERE WAS ANY SUCH APPROACH IT WOULD BE HENDLED THROUGH NORMAL

DIPLOMATIC CHANNELS FOLLOWING APPROPRIATE DECISIONS BY DEPT. I SAID I HAD REPORTED MATTER TO WASHINGTON AND SUGGESTED THAT ANY FURTHER DISCUSSIONS OF THIS PROSPECT TAKE PLACE THERE.

6. WITH RESPECT TO PROPOSED EMERGENCY MEETING OF ICAO COUNCIL I EXPRESSED STRONG DOUBT THAT IT COULD TAKE PLACE IN ROME. WHILE I NOT FAMILIAR WITH DETAILS OF PROCEDURE, I UNDERSTOOD 16 VOTES WOULD BE REQUIRED TO CALL MEETING AND IT SEEMED TO ME, AND TO THE DEPT., EXTREMELY UNLIKELY THAT THESE COULD BE OBTAINED PARTICULARLY FOR SESSION AWAY FROM MONTREAL. I EXPRESSED STRONG VIEW THAT IN ANY EVENT THIRD TYPE OF MEETING IN ROME WOULD GROSSLY OVERBURDEN DELEGATIONS HERE, AND WOULD OPERATE MUCH TO THE DISADVANTAGE OF THE WORK OF THE ASSEMBLY AND CONFERENCE. AMBASSADOR NAJAR SEEMED IMPRESSED BY THESE COMMENTS BUT DID NOT INDICATE WHETHER OR NOT GOI WOULD PROCEED WITH IDEA.

7. NAJAR THEN RAISED QUESTION CONFERENCE AND ASSEMBLY TREATMENT OF ACTS BY STATES. HE SAID THAT REGARDLESS OF EFFECT WHICH HIS INTERVENTIONS MIGHT HAVE, HE WOULD BE COMPELLED MAKE ENTIRELY CLEAR THAT UK/SWISS DRAFT UNACCEPTABLE IN THIS RESPECT AND THAT ANY STATEMENT OR PROVISIONS MUST BE BALANCED BY WORDING WHICH WOULD INCLUDE, IN ADDITION TO ACTS BY STATES, THE AUTHORIZATION, ENCOURAGEMENT, OR TOLERATION OF ACTS BY INDIVIDUALS OR GROUPS. THOUGH I DID NOT INDICATE ACCEPTANCE OF NAJAR'S
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SPECIFIC FORMULATION, I AGREED IN PRINCIPLE THAT ANY FINAL WORDING SHOULD BE BALANCED. NAJAR AGREED WHEN I OBSERVED THAT IT WILL BE EXTREMELY DIFFICULT TO FIND AGREEMENT UPON WORDING AND THAT DEFINITIONAL EFFORT MIGHT IN FACT BE LONG PROTRACTED IN WORKING GROUP OR DRAFTING COMMITTEES. WE BOTH HAD BEEN IMPRESSED BY COMMENTS OF SOVDEL WHICH EXTREMELY CAUTIOUS WITH RESPECT TO DEFINITION OF STATE ACTS.

8. TOWARD END OF CONVERSATION NAJAR RETURNED TO ISRAELI PUBLIC RELATIONS PROBLEMS WITH RESPECT TO ROME MEETINGS, EMPHASIZING THAT AFTER CONDEMNATION OF ISRAEL IN THREE BODIES WITHIN THREE WEEKS, ISRAELIS WOULD NEVER UNDERSTAND FAILURE TO CONDEMN THOSE WHO WERE RESPONSIBLE FOR ROME AIRPORT INCIDENT, WHICH HAD MOST GRAVE IMPLICATIONS FOR CIVIL AVIATION. NAJAR SAID THAT HE HAD LERNED ARRESTED ARABS HAD ASSUMED EXTREMELY ARROGANT ATTITUDE, AND HAD INFORMED THEIR CAPTORS THEY WERE QUITE UNCONCERNED SINCE THEY ANTICIPATED RELEASE WITHIN FEW WEEKS. HOWEVER, NAJAR SAW SOME SIGNICANCE IN WORDING OF CHARGES AGAINST THE PRISONERS WHICH INCLUDED PHRASE "FOR THE PURPOSE OF MASS MURDERS". HE SAID THAT UNDER ITALIAN LAW WORDING WOULD PERMIT LIFE SENTENCES AS COMPARED WITH MAXIMUM 5 TO 10 YEARS UNDER TYPES OF CHARGES PREVIOUSLY MADE. HE WAS,

HOWEVER, NOT SANGUINE THAT ITALIANS WOULD BE SUFFICIENTLY
DETERMINED TO SEE THE MATTER THROUGH. VOLPE

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